

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
CLEVELAND DIVISION

UNITED STATES OF AMERICA,)	CRIMINAL NO.: 1:21-cr-226
)	
Plaintiff,)	
)	JUDGE PAMELA A. BARKER
vs.)	
)	
)	
DAVIS LU,)	
)	
Defendant.)	

**DEFENDANT'S UNOPPOSED MOTION TO APPEAR AT FINAL PRE-TRIAL IN
ABSTENTIA, OR APPEAR REMOTELY**

Now comes, Defendant, Davis Lu, by and through his counsel, Friedman Nemecek Long & Grant, L.L.C., and hereby respectfully request that this Honorable Court permit counsel to appear on his behalf, in absentia for Mr. Lu at the final pre-trial currently scheduled for January 27, 2025. In the alternative, Mr. Lu requests permission to participate remotely, via zoom, telephone, or any other mechanism preferred by this Court.

Mr. Lu currently resides in Texas. Currently, Mr. Lu has no intention of changing his plea in this matter, requiring that trial will move forward as scheduled on February 24, 2025. As such, Mr. Lu will be required to take several weeks off work, as well as incur significant travel costs associated with being present for trial. To that end, Mr. Lu is attempting to conserve financial resources and avoid missing more days of work up until trial. As such, he respectfully requests that he be excused from the final pre-trial or be permitted to participate remotely.

The above request is being made for the aforementioned reason only, and not for purpose of undue burden or delay. Undersigned has communicated the instant request to Assistant United States Attorney Deckert, who does not oppose the request.

WHEREFORE, Defendant, Davis Lu, respectfully requests that he be excused from attending the final pre-trial scheduled for January 27, 2025, or, in the alternative, that he be permitted to attend and participate remotely. If allowed, Mr. Lu will ensure that he has all appropriate technology.

Dated: January 17, 2025

/s/ Eric Nemecek

ERIC C. NEMECEK (0083195)

IAN N. FRIEDMAN (0068630)

Counsel for Defendant

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Motion was filed by CM/ECF on the 17th day of January, 2025, which will send a notification of such filing electronically to the following:
Assistant United States Attorney, 801 Superior Avenue, Cleveland, OH 44113.

Respectfully submitted,

/s/ Eric Nemecek

ERIC C. NEMECEK
IAN N. FRIEDMAN
Counsel for Defendant